IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 25464 of 2007(F)

PETITIONER:

T.K.SAJEEVMOL, AGED 38 YEARS,
W/O.SAJIMON, KIZHAKKETHAYI PARAMBIL,
VADAYAR P.O., THALAYOLAPARAMBU.

BY ADV. SRI.BIJUMON P.V.
SRI.SAJIV.C.K.

RESPONDENTS:

---

1. THE MANAGER, KOTTAYAM DISTRICT
CO-OPERATIVE BANK LTD., KOTTAYAM.

2. THE MANAGER,
KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.,
THALAYOLAPARAMBU BRANCH, THALAYOLAPARAMBU.

BY SC SRI. T.R. HARIKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No. 25464 of 2007

- -

Dated this the 22nd day of August, 2007

JUDGMENT

Vide Ext.P1 a loan was sanctioned to the petitioner. According to the petitioner it provides interest at the rate of 9%. Petitioner challenges Ext.P6, which is a registered notice and seeks a direction to realise the loan amount only at 9% .

2. I heard learned counsel for the Bank also. Learned counsel for the Bank submits that Ext.P1 is only an order of sanction and the agreement may contain the actual rate of interest and whether it is fixed or variable and without considering that a decision cannot be taken on the basis of Ext.P1. Petitioner has any way filed Ext.P5 before the Bank. The second respondent will consider and take a decision on Ext.P5 in accordance with law and communicate its decision to the petitioner within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

sb